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Patent Application  
Attorney Docket No. PC9940D

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By

*Kelly A. Smith*

(Signature of person mailing)

Kelly A. Smith

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Dennis M. Godek :

APPLICATION NO.: 10/666,908 : Examiner: Elli Peslev

FILING DATE: September 18, 2003 : Group Art Unit: 1623

TITLE: AZITHROMYCIN COMBINATION FOR :  
EMESIS CONTROL IN MAMMALS

Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.97 ET SEQ.

Applicant(s) herein make(s) available to the U.S. Patent and Trademark Office a copy of PTO-FB-A820 which lists the references cited by the applicant(s), copies of which are enclosed.

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of the above-identified application in accord with 37 C.F.R. § 1.104(a). It is believed the Examiner will concur with applicant's belief that the subject matter presently claimed is neither anticipated nor rendered obvious by the foregoing references.

It is requested that the references listed on the attached form PTO-FB-A820 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. § 1302.12).

A fee of \$180.00 is believed to be due; please charge Deposit Account No. 16-1445 the appropriate fee.

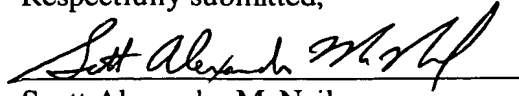
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A prompt and favorable response is earnestly solicited.

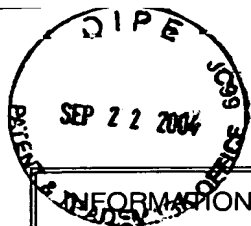
Date: 17 September 2004

Respectfully submitted,



Scott Alexander McNeil  
Attorney for Applicant(s)  
Reg. No. 37,185

Pfizer Inc.  
Patent Department, MS 8260-1611  
Eastern Point Road  
Groton, Connecticut 06340  
(860) 686-1848



INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY. DOCKET NO. PC9940D	SERIAL NO. 10/666,908
	APPLICANT Dennis M. Godek	
	FILING DATE September 18, 2003	GROUP 1623

### U.S. PATENT DOCUMENTS

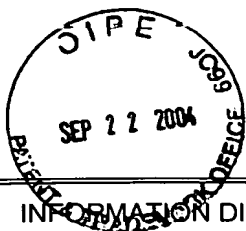
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	US	4	9	6	3	5	3	1	10/16/90	Remington	514	29	
	US	6	3	2	6	3	8	3	12/4/01	Hagan, et al.	514	329	
	US	5	3	9	3	7	6	2	2/28/95	Desai, et al.	514	331	
	US	6	3	2	9	3	9	4	12/11/01	Hagan, et al.	514	329	
	US	4	8	5	3	3	9	4	8/1/89	King, et al.	514	329	
	US	5	1	6	2	3	3	9	11/10/92	Lowe, III	514	305	
	US	5	2	3	2	9	2	9	8/3/93	Desai, et al.	514	314	

### FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER									DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
									m/d/y				YES	NO
	WO	9	1	1	8	8	9	9	12/12/91	International	C07D	453/02		
	WO	9	2	0	1	6	8	8	2/6/92	International	C07D	453/00		
	WO	9	2	0	6	0	7	9	4/16/92	International	C07D	209/52		
	WO	9	2	1	2	1	5	1	7/23/92	International	C07D	453/02		
	WO	9	2	1	5	5	8	5	12/17/92	International	C07D	471/08		
	WO	9	2	2	0	6	7	6	11/26/92	International	C07D	453/02		
	WO	9	2	2	1	6	7	7	12/10/92	International	C07D	453/02		
	WO	9	3	0	0	3	3	0	1/7/93	International	C07D			
	WO	9	3	0	0	3	3	1	1/7/93	International	C07D	205/02		
	WO	9	3	0	6	0	9	9	4/1/93	International	C07D	453/02		
	EP	0	5	3	3	2	8	0	8/30/00	Europe	A61K	31/33		

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Armstrong, D.M., et al., "Electron microscopic immunocytochemical localization of substance P in the area postrema of rat", <i>Brain Research</i> , 243, pp. 141-146 (1982)
		Carpenter, D.O., et al., "Neural mechanisms of emesis", <i>Can. J. Physiol. Pharmacol.</i> , Vol. 68, pp. 230-236 (1982)
		Carpenter, D.O., et al., "Responses of Neurons of Canine Area Postrema to Neurotransmitters and Peptides", <i>Cellular and Molecular Neurobiology</i> , Vol. 3, No. 2, pp. 113-126 (1983)
		Carpenter, D.O., et al., "Behavioral and electrophysiological studies of peptide-induced emesis in dogs", <i>Federation Proceedings (FASEB)</i> , Vol. 43, No. 15, pp. 2952-2954 (1984)



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	Dockray, G.J., et al., "The afferent peptidergic innervation of the upper gastrointestinal tract", <i>Nerves and G.I. Tract, Chapter 10</i> , pp. 105-122 (1989)
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	Wu, M., et al., "Emetic Effects of Centrally Administered Angiotensin II, Arginine Vasopressin and Neurotensin in the Dog", <i>Peptides</i> , Vol. 6, Suppl. 1, pp. 173-175 (1985)
	Yasnetsov, V.V., et al., "Emitic and Antimetetic Properties of Some Regulatory Peptides", translated from <i>Byulleten'Éksperimental'noi Biologii i Meditsiny</i> , Vol. 103, No. 5, pp. 586-588 (1987)
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	Ward, P., et al., "Discovery of an Orally Bioavailable NK <sub>1</sub> Receptor Antagonist, (2S,3S)-(2-Methoxy-5-tetrazol-1-ylbenzyl)(2-phenylpiperidin-3-yl)amine (GR203040), with Potent Antiemetic Activity", <i>J. Med. Chem.</i> , Vol. 38, pp. 4985-4992 (1995)
	"Gendai no Yakurigaku" edited by Kiyoshi Tanaka, published by Kinbara Shuppan Kabushiki Kaisha, November 30, 1991, 16 <sup>th</sup> edition (Printed in Japanese. English translation provided.)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.